

March 28, 1977

LR 42, 45
LB 502A, 207

CLERK: Read LB 502A. Mr. President, a resolution dealing with an interim study, LR 45. Introduced by Senator DeCamp. It will be referred to the Executive Board. Mr. President, Senator Keyes moves that, notwithstanding the action of the Committee, we place LB 207 on the floor of the Legislature. Signed, Senator Keyes. That's all, Mr. President.

PRESIDENT: LR 42.

CLERK: Read LR 42.

PRESIDENT: Senator Maresh.

SENATOR MARESH: Mr. President, members of the Legislature. LR 42 is the result of a contract that was agreed upon by the Nebraska Department of Labor and the Local 35 and 58 Council 32, the American Federation of State, County and Municipal Employees, AFLCIO. This was referred to the Committee by the Speaker. We reviewed the provisions of the contract through our legal counsel. He checked with both parties and found that this was in complete agreement. So we did not choose to hold a hearing on this resolution. In other words, we didn't hold a hearing on the contract. We are sponsoring this resolution, asking that the Legislature approve it according to 48-837, which specifies, this was passed in 1969. This specifies that the Legislature shall approve this contract. If there are any questions I would move that this contract be approved by the Legislature.

PRESIDENT: Senator Murphy.

SENATOR MURPHY: I guess I would ask a question of Senator Maresh. Senator Maresh, this whole concept, and you and I have discussed it, is totally foreign. I can see no intelligent way in which this Legislature can pass judgement on a labor negotiation in which we had no part, had no knowledge, and yet would lend our endorsement to it. I'm curious to know what would be the reaction if the Legislature, in fact, held that, knowing nothing about it, we should not engage in an endorsement. What then becomes of the contract?

SENATOR MARESH: Well I guess we could first start, if you have a question on the provisions of the contract we could hold a hearing on this and review it section by section, then bring that to the Legislature, explain it section by section. If the Legislature would not approve it I guess it would be invalid. I believe it has to be approved by the Legislature to be valid, according to the law.

SENATOR MURPHY: Well I do have concerns about it, yet, like I say, I feel like I'm intervening where I really have no business intervening in a negotiation that has been conducted and I have not been privy to the discussion of it. Had I been I would have questions why we include attorneys in the bargaining unit, why we include supervisors in the bargaining unit, why we allow a supervisor, who was a member of the unit, to grant time to the steward to conduct grievance hearings on company time so to speak. I have many questions with it, but, here again, I was not party to the negotiation. I feel like I'm playing blind mans' bluff when I'm asked to endorse it.

PRESIDENT: Senator Nichol.

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